

USPTO

12/19/2007 4:45:16 PM PAGE 2/008 Fax Server

TO: Ingrid Beattie COMPANY: Mintz Levin

RECEIVED  
CENTRAL FAX CENTER

DEC 20 2007

Application/Control Number:  
09/424,527  
Art Unit: 1651

Page 2

**EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with \*\*\* on \*\*\*.

The application has been amended as follows:

The Specification has been amended as follows:

The phrase "lactid acid bacterium" (page 19, ¶3, line 11) has been amended to correct a typographical error. The phrase has been amended to recite "lactic acid bacterium".

Claims:

1. A method reducing a bacterial gastrointestinal infection in a human, said bacterial gastrointestinal infection selected from the group consisting of, *Clostridium perfringens*, *Clostridium difficile*, *Clostridium botulinum*, *Clostridium tributrycum*, *Clostridium sporogenes*, *Escherichia coli*, *Pseudomonas aeruginosa*, and *Staphylococcus aureus*, comprising the steps of:

- a) orally administering to a human subject a composition comprising:
  - i.) viable colony forming units (CFU) of a non-pathogenic lactic acid bacteria, wherein said non-pathogenic lactic acid bacteria is *Bacillus coagulans*; and
  - ii) an oral electrolyte maintenance formulation; and
- b) allowing said non-pathogenic lactic acid bacteria to grow in the human subject's gastrointestinal tract, thereby reducing a bacterial gastrointestinal infection.